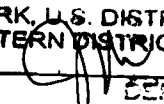


FILED

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
DEL RIO DIVISION**

APR 23 2024

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY  DEPUTY CLERK

UNITED STATES OF AMERICA,

§

v.

§

Criminal Case No. DR-23-CR-895-AM

§

JOSE MANUEL ESTRADA (1),

§

BRANDON STONE ORTIZ (2),

§

§

Defendants.

§

§

PRELIMINARY ORDER OF FORFEITURE

Came on to be considered the United States of America's Motion for Preliminary Order of Forfeiture [ECF No. 134], pursuant to Title 21 U.S.C. § 853(n)(1)-(7) and Rules 32.2(b)(1), (2) & (c)(1) of the Federal Rules of Criminal Procedure.

This Court being fully and wholly apprised in all its premises, finds that the United States has established by a preponderance of the evidence a nexus between the Subject Property, described below, and the violations of Title 18 U.S.C. § 933(a)(1). The Superseding Indictments include a Notice of Demand for Forfeiture pursuant to Title 18 U.S.C. § 924(d)(1), made applicable to criminal forfeiture by Title 28 U.S.C. § 2461(c). (ECF Nos. 26, 38.) Moreover, the Defendants' guilty pleas and the facts contained therein (i.e., that the Defendants had an interest in the Subject Property, and that the Defendants agreed that the Subject Property is forfeitable to the United States) help establish the requisite nexus. (ECF Nos. 106, 115.) Said Motion is meritorious, and hereby is in all things **GRANTED**.

IT IS THEREFORE **ORDERED** that all right, title, and interest of the Defendants, **JOSE MANUEL ESTRADA** and **BRANDON STONE ORTIZ**, in the following property is hereby **FORFEITED** to the United States:

1. **Diamond Back DB380 handgun (S/N: ZM1919);**

2. **Taurus PT111 Millennium G2 9mm pistol (S/N: TKY06263); and**
3. **Any related ammunition and firearm accessories,**

hereinafter referred to as the “Subject Property.”

IT IS FURTHER **ORDERED** that upon entry of the Preliminary Order of Forfeiture, the United States of America, through its lawfully designated agents and agencies, including the Bureau of Alcohol, Tobacco, Firearms and Explosives, shall seize, take custody, control, and possession of the Subject Property, whether held by the Defendants or a third party.

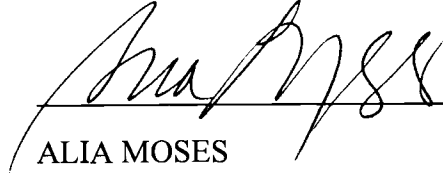
IT IS FURTHER **ORDERED** that the United States shall cause publication for at least 30 consecutive days on an official government internet website (www.forfeiture.gov) of the Notice of the Preliminary Order of Forfeiture and of its intent to dispose of the Subject Property in such manner as the United States directs. The United States shall send notice to any person or entity who reasonably appears to be a potential petitioner with standing to contest the forfeiture in the ancillary proceeding. The published notice and any applicable direct notices shall comply with Federal Rule of Criminal Procedure 32.2(b)(6)(B).

IT IS FURTHER **ORDERED** that the United States shall send direct notice of the Preliminary Order of Forfeiture and Appendix A, which is attached to the United States of America’s Motion for Preliminary Order of Forfeiture [ECF No. 134], and also attached to this order and incorporated herein, to those known to the United States to have an interest in the Subject Property.

IT IS FURTHER **ORDERED** that, in the event a third-party petition is filed as to the Subject Property, the United States shall commence discovery proceedings to resolve any third-party issues, including depositions, interrogatories, requests for production of documents, and the issuance of subpoenas, pursuant to Rule 45 of the Federal Rules of Civil Procedure.

IT IS FURTHER **ORDERED** that at the time of the sentencing of the Defendants, the forfeiture of the Subject Property shall be included in the Defendants' Judgment in a Criminal Case.

SIGNED and ENTERED on this 23rd day of April, 2024.


ALIA MOSES
Chief United States District Judge

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
DEL RIO DIVISION**

UNITED STATES OF AMERICA,	§	
	§	
v.	§	Criminal Case No. DR-23-CR-895-AM
	§	
JOSE MANUEL ESTRADA (1),	§	
BRANDON STONE ORTIZ (2),	§	
	§	
Defendants.	§	

DIRECT NOTICE OF PRELIMINARY ORDER OF FORFEITURE

Notice is hereby given that in the case of *U.S. v. JOSE MANUEL ESTRADA and BRANDON STONE ORTIZ*, Criminal No. DR-23-CR-895-AM, the United States District Court for the Western District of Texas entered a Preliminary Order of Forfeiture condemning and forfeiting the following property to the United States of America:

- 1. Diamond Back DB380 handgun (S/N: ZM1919);**
- 2. Taurus PT111 Millennium G2 9mm pistol (S/N: TKY06263); and**
- 3. Any related ammunition and firearm accessories.**

The United States hereby gives notice of its intent to dispose of the forfeited property in such manner as the United States Attorney General may direct. Any person, other than the Defendants, asserting a legal interest in property which has been ordered forfeited to the United States must file a petition within 30 days of the final publication of notice or his receipt of notice, whichever is earlier pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure and Title 21 U.S.C. §§ 853(n)(1)-(3). The petition must be filed with the Clerk of the Court, 111 East Broadway, Room L100, Del Rio, Texas 78840, and a copy served upon Assistant United States Attorney Antonio Franco, Jr., 601 NW Loop 410, Suite 600, San Antonio, Texas 78216.

The petition must comply with the requirements of Title 21 U.S.C. § 853(n).

If you fail to file a petition to assert your interest in the above-described property within the time prescribed above, your interest in this property will be lost and forfeited to the United States, which will then have clear title to the property and will dispose of the property in accordance with the law.

APPENDIX A